

## CROATIA

### a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Jul 87	Law of the Coastal Sea & the Continental Shelf of the Socialist Federal Republic of Yugoslavia		Enabling legislation limiting port visits and ship overhauls. Announced 24 hour advance notice requirement for foreign naval ships for harmless passage in territorial waters. Use of designated sea lanes for passage by foreign naval ships, tankers, nuclear powered ships and ships which carry nuclear weapons.
	Jun 91	Narudne Novine No. 53,10-08-91	12nm	Declared that law by Yugoslavia on July 23, 1987 is applicable.
	Apr 95	Note to UN from Permanent Mission of Croatia		Declaration that there is no peremptory norm of international law which would forbid a coastal state to request by its laws and regulations foreign warships to notify their intention of innocent passage through its territorial waters and to limit the number of warships allowed to exercise the right of innocent passage at the same time.  These notification requirements or limits on numbers of warships are not recognized by the U.S.
IV. CONTINENTAL SHELF	Aug 92	Declaration	1958 DEF	Declaration of succession to 1958 Continental Shelf Convention.
VIII. LOS CONVENTION	Apr 95			Ratification

### b. DOMESTIC LEGISLATION AND REGULATIONS

#### 1. STRAIGHT BASELINES

(Croatia has not formally enacted legislation concerning straight baselines. Former Yugoslavian straight baseline legislation is listed here for information until Croatian claims are clarified.

**A. LEGISLATION.** Following are extracts from the Law on the Coastal Sea, the Outer Sea Belt, and the Epicontinental Belt of Yugoslavia of 23 April 1965:

#### Article 3

Inner sea waters include the following:

- 1) ports and bays on the coast of the mainland and the islands;
- 2) mouths of rivers;
- 3) parts of the sea between the mainland coast and the basic line of the territorial sea referred to in Items 2 and 3, Paragraph 2, Article 11 of this Law.

A bay, referred to in Item 1, Paragraph 1 of this Article, is a distinctly limited inlet recessed into the land and of a sea area equal to or larger than the area of the semi-circle with a diameter equal to the length of the straight line closing the entrance into the inlet.

The sea area of the inlet is measured from the low tide line along the coast line of the inlet and the straight line closing the entrance to the inlet.

#### Article 11

The territorial sea is the sea belt of a width of 10 nautical miles, measured from the basic line towards the open sea.

The basic line is:

- 1) the low tide line along the coast line of the mainland and the islands;
- 2) straight lines closing the entrances to bays;
- 3) straight lines connecting the following points on the coast of the mainland and on the coast of the islands;
  - a) Zarubaca Point - southeastern Point of the Mrkan Island - southern Point of Sveti Andrija Island - Gruj Point (on the Mljet Island);
  - b) Korizmeni Point (Mljet Island) - Glavat Islet - Struga Point (Lastovo Island) - Veljeg Mora Point (Lastovo Island) - southwestern Point of Kopiste Island - Velo Dance Point (Korcula Island) - Proizd Point - southwestern Point of Vodnjak Island - Rat Point (Drvenik Mali Island) - Mulo Reef - Blitvenica Reef - Purara Island - Balun Island - Mrtovac Island - Garmenjok Veli Island - position 43° 53' 12" N and 15° 10' 0" E on the Dugi Otok Island;
  - c) Veli Rat Point (Dugi Otok Island) - Masarine Reef - Margarina Point (Susak Island) - Albanez Shoal - Grunj Island - Sveti Ivan na Pucini Reef - Mramori Shoal Alteiz Island - Point Kastanija.

The straight lines referred to in Item 3, Paragraph 2, of this Article must be laid down on the seachart "Jadransko more" (Adriatic Sea), scale 1:1,000,000, published by the Hydrographic Institute of the Yugoslav Navy. A reproduction of this chart is a component part of this Law.

In determining the basic line of the territorial sea, the outermost permanent port structures which are a component part of a port system shall also be considered part of the coast.

The outer boundary of the territorial sea is the line whose each point is 10 nautical miles away from the nearest basic line.

Ships of any state are entitled to a harmless passage through the territorial sea under the conditions prescribed by this Law and other Federal regulations.

A harmless passage of a ship is the sailing through the territorial sea without entering the inner sea waters, or with the intention to enter the inner sea waters or to leave these waters for the open sea, provided that the public law and order, peace, and security of Yugoslavia are not affected.

The harmless passage referred to in Paragraph 2 of this Article also includes the stopping and anchorage of a ship in the territorial sea if this is required for the purpose of normal sailing or due to an act of God or distress at sea.

#### Article 18

The outer sea belt is an area of a width of 2 nautical miles, measured from the outer boundary of the territorial sea towards the open sea.

#### Article 20

The epicontinental belt comprises the sea bottom and the underground of the submarine space outside the outer boundary of the territorial sea to a depth of 200 meters, and also beyond that boundary to the line where the depth of the water over the sea bottom permits exploitation of the natural wealth of the sea bottom and its underground.

Article 21

Yugoslavia exercises her sovereign rights over the epicontinental belt concerning the exploration and exploitation of the natural wealth of that belt.

The natural wealth, referred to in Paragraph 1 of this Article, denotes ores and other inanimate wealth of the sea bottom and its underground and living organisms which, in the stage in which they are caught, are immovable on the sea bottom or underneath the sea bottom, or can move only when in continental, physical contact with the sea bottom or its underground.

**B. ANALYSIS.** The following comments regarding the Yugoslav straight baseline system are extracted from Limits in the Seas, No. 6, "Straight Baselines: Yugoslavia," 6 February 1970:

The straight baselines, as decreed, constitute 26 individual segments which are combined three lines broken twice by island coasts. The straight baselines total approximately 244.7 nautical miles; the first segment extends for 22.9 miles from the coast north of Dubrovnik to Mljet island. The coast of the island forms the baseline for approximately 20.75 nautical miles before the second segment is encountered. This line, stretching to the island of Dugi Otok, measures 129.0 nautical miles. The low water line of Dugi Otok forms the baseline for the next 26.0 nautical miles. The final straight baseline extends for 92.8 nautical miles from Cape Veli Rat (NW Dugi Otok) to Cape Kastanija, northwest of Novi Grad, on the Istrian Peninsula.

The individual segments of the straight baseline are as follows:

Points	Length in nautical miles	Comments
Rt. (Cape) Zarubaca - O. (Island)	2.0	The straight baseline parallels Mrkan the coast at an average distance of 1 nautical mile.
O. Mrkan - O. Sveti Andrija	11.5	The trend continues; distance increases to 2 nautical miles on average.
O. Sveti Andrija - Rt. Gruj	9.4	The straight baseline closes the (O. Mljet) Mljetski Kanal, a fjord-like channel contained between mainland and O. Mljet.
The low-water line of the island of Mljet forms the baseline from Cape Gruj to Cape Korizmeni, a distance of 22.0 nautical miles.		
Rt. Korizmeni (O. Mljet) - O. Glavat	8.2	The Yugoslav coastline in this region changes direction markedly, changing from a northwesterly to an almost westerly direction.
O. Glavat - Rt. Struga (O. Lastovo)	11.8	
Rt. Struga - Rt. Veljega Mora	2.0	The straight baseline from Mljet island to Kopiste island "parallels" the coast to the north while the continuation to Mali Dvenik follows the general trend of the mainland lying to the east. The straight baselines exclude many islands: Vis, Susak, Bisevo and Andrija which are all rather large. Other, smaller islets are also outside of the straight baselines.
Veljega Mora - O. Kopiste	6.2	
O. Kopiste - Rt. Velo Dance	11.2	The straight baselines exclude many islands: Vis, Susak, Bisevo and Andrija which are all rather large. Other, smaller islets are also outside of the straight baselines.
Rt. Velo Dance - Rt. Proizd	3.7	
Proizd - O. Vodnjak	17.2	0.5 to 1.0 miles from coastal promontories. Lighthouse, built on reef, is utilized.
O. Vodnjak - O. Mali Drvenik	20.2	
O. Mali Drvenik - Hrid (Reef) Mulo	7.3	The straight baseline tends to close the bay-like opening formed between the coast and the series of continuous islands. Lighthouse on reef is used as a turning point.
Hrid Mulo - Hrid Blitvenica	16.4	

Points	Length in nautical miles	Comments
Hrid Blitvenica - O. Purara	7.4	Completes closure of "bay-like" waters as above.
O. Purara - O. Balun	11.1	Line trends northwestward along "front" of islands virtually parallel to mainland.
O. Balun - O. Mrtovak	1.8	Same
O. Mrtovak - O. Garmenjak Veli	3.2	Straight baseline subtends towards the island chain and the coast.
O. Garmenjak Veli - Dugi Otok (43°53'12" North 15°10' East)	1.3	Same
The straight baseline is broken by the shore of Dugi Otok for 26 nautical miles. It resumes at the northwestern cape of the island.		
Rt. Veli Rat - Masarine Reef	14.6	The straight baseline follows the general trend of the coast and is backed, at an average distance of less than 2 nautical miles, by a virtually continuous chain of islands.
Masarine Reef - Rt. Margarina	15.7	The same general characteristics prevail except the island front is roughly five miles distant.
Rt. Margarina - Plicina Albanez	22.5	The straight baseline encloses a body of water which has the characteristics of a bay - the Kvar Ner.
Plicina Albanez - O. Grongera (Grunj)	13.3	From the reef to the Brioni Islands, which include Grongera, the coastline is indented with numerous bay-like openings. The number of islands is very small and they all are close-in to the shore.
O. Grongera - Hr. Sv Ivan na Pucini	8.9	The general conditions are similar to that south of the Brionis except that the straight baselines are approximately 2.5 nautical miles from the coast. The Brioni group and the mainland form a "bay" in the Kanal Fazana.
Hr. Sv Ivan na Pucini - Plic Marmi	6.6	The straight baseline returns closer to the mainland, averaging now approximately 0.9 nautical mile from the headlands.
Plic Marmi - O. Altez	3.2	Same. The number of offshore islands increases -- roughly 17 islands in the 3.2 miles.
O. Altez - Rt. Kastanija	8.0	Termination of the straight baseline at the coastal cape.
<b>TOTAL</b>	<b>244.7</b>	

#### SUMMARY

The total length of the Yugoslav straight baseline is 244.7 nautical miles with an average length for the 26 segments of 9.4 nautical miles. The longest segment is 22.5 nautical miles; it "closes" the bay-like opening of Kvar Ner.

In the main, the straight baselines do not depart appreciably from the general trend of the Yugoslav coast. The average variation is approximately  $5^{\circ}$  from the mainland coast and less from the general trend of the offshore islands. Several segments, however, vary from the average. The first straight baseline from the Dalmatian shore to the island of Mljet is approximately  $15^{\circ}$  from the general trend of the mainland. The straight baseline, in contrast, is virtually identical with the trend of the offshore islands. In the sector where the major island of Mljet and Lastovo are enclosed, the straight baselines are within  $15^{\circ}$  of the general trend of the northern coast. However, the straight baseline deviates nearly  $45^{\circ}$  from the trend of the coast from which it diverges.